

For Office Use Only
Executive Office of Environmental Affairs
 #
 MEPA/1982
 Analyst: **NICK ZAVOIAS**
 Phone: 617-626-1030

NPC

Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: Fly Ash Landfill		EOEA #: 01982	
Street: Route 79 - South Main Street			
Municipality: Freetown / Assonet		Watershed:	
Universal Transverse Mercator Coordinates:		Latitude: 41.7851	
		Longitude: 71.0818	
Status of project construction:		%complete	
Proponent: KGI Properties, LLC			
Street: 45 Broad Street, 4 th Floor			
Municipality: Boston		State: MA	Zip Code: 02109
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Lawrence P. Silva			
Firm/Agency: Silva Engineering Associate P.C.		Street: 1615 Bedford Street	
Municipality: Bridgewater		State: MA	Zip Code: 02324
Phone: 508-697-3100	Fax: 508-697-3136	E-mail: larrys@silvaeng.com	

In 25 words or less, what is the project change? The project change involves elimination of the campground and RV service facility, the addition of retail and additional roadway. See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor:

Monitor Volume 04-05 Monitor Date: July 21, 1975 &
 Monitor Volume 63-10 Monitor Date: March 23, 2005

Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Monitor Date: 12/30/75) No
 was a Final EIR filed? Yes (Monitor Date: 3/24/76) No
 was a Single EIR filed? Yes (Date:) No

Have other NPCs been filed? Yes (Date(s): Action Date: 7/8/1994; Monitor date: 6/24/2005) No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to "ATTACHMENTS & SIGNATURES" on page 4.

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: Acquired 0.88 acres (Map 214, Lot 100) to increase the separation distance from the Route 24 ramp and the project entrance. Modifications to previous approvals required from Mass Highway Department, Freetown Planning Board and Conservation commission.

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6)) Yes No; if yes, attach justification.

Are you requesting that a Scope in a previously issued Certificate be rescinded? Yes No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? Yes No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously Reviewed 1994	Previously Reviewed 2005	Net Change	Currently Proposed 2006
LAND				
Total site acreage	60.6	80.5*	0.88	80.94
Acres of land altered	42	50	-4	46
Acres of impervious area	25	20.4	19.6	40
Square feet of bordering vegetated wetlands alteration	0	29,981	0	29,981
Square feet of other wetland alteration	0	0	0	0
Acres of non-water dependent use of tidelands or waterways	0	0	0	0
STRUCTURES				
Gross square footage	3,702,000	105,000	346,693	451,693
Number of housing units	0	0	0	0
Maximum height (in feet)	40	40	0	40
TRANSPORTATION				
Vehicle trips per day	6,300	5,800	19,200	25,000
Parking spaces	3,700	700	1,276	1,976
WATER/WASTEWATER				
Gallons/day (GPD) of water use	333,000	24,000	17,000	36,000**
GPD water withdrawal	0	0	0	
GPD wastewater generation/ treatment	278,000	20,000	16,000	36,000**
Length of water/sewer mains (in miles)	0	0	0	

*Determined to be 80.06.

**Allocation committed to project from the Fall River Office of Economic Development. See letter dated September 8, 2006.

Does the project change involve any new or modified:

1. Conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No
2. Release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No
3. Impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, and Exemplary Natural Communities? Yes No
4. Impact on any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth? Yes No;
If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No
5. Impact upon an Area of Critical Environmental Concern? Yes No

If you answered 'Yes' to any of these 5 questions, explain below:

PROJECT CHANGE DESCRIPTION (attach additional pages as necessary). The project change description should include:

- (a) A brief description of the project as most recently reviewed
- (b) A description of material changes to the project as previously reviewed,
- (c) The significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) Measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

(a) The project as currently approved includes the placement of fly ash on over forty acres of the site which is bordered by Route 24, Assonet River, Payne's Cove and South Main Street (Route 79). The project which was originally approved in 1976 and was revised in 1994, with a NPC, to include a business park development on the completed fly ash landfill. Seventeen buildable lots ranging from one to five acres in size were proposed. The business park was to include commercial and light manufacturing uses with over 3 million square feet of building area.

In 2005 a Notice of Project Change was submitted. The proposed change incorporated additional land area between South Main Street and the fly ash landfill and proposed a scaled down development with five commercial sites. The five sites were proposed as a RV sales and service center, campground, bank/offices, retail center and restaurant.

(b) The proposed 2006 change incorporates additional land for increased separation from the Route 24 exit ramp to the access road serving a commercial development with seven sites. The sites will be developed with bank/offices, restaurant and retail stores. The project is conveniently located just off the South Main Street (Route 79) at Exit 9 off Route 24.

(c) The land area for the project has increased by 0.88 acres by acquisition of a neighboring house lot but the intensity of development is significantly reduced from the 1994 proposal. There were no other site alternatives reviewed since the intended reuse of the property was always for commercial/industrial development. Alternative locations for project would involve the disruption of new acreage without the benefits of reclaiming the disturbed area.

The amount of impervious areas for roadway has increased since the 1994 proposal, however, the fly ash surface was always considered impervious and stormwater management of the site was designed accordingly. There is a reduction in the amount of land disturbed since the previous NPC given that no alterations are currently proposed in the 200 foot outer riparian limit. Each of the seven sites will incorporate Stormwater Management standards for stormwater discharge.

The project, as amended, would result in increased traffic and require infrastructure upgrade. The extension of sewer to the site would be coordinated with other potential projects anticipated for the South Main Street area. The benefit of extending sewer to this area would allow for connection of "needs areas" adjacent to the South Main Street interchange. The Fall River Office of Economic Development has provided a commitment for the anticipated water and sewer use for the proposed project.

There are two phases of development proposed for the project. Phase I would include closure of the landfill, construction of roadway, roadway drainage, infrastructure and Areas A and B (see "Plan to Accompany Notice of Project Change"). Phase II would include construction of Areas C-G. The Supplemental Environmental Impact Report will identify the initial mitigation necessary for Phase I development and identify additional mitigation necessary for Phase II. The traffic impact and access study will be prepared in conformance with the EOEAEOTC Guidelines for Traffic Impact Assessments and will also consider the potential impacts on mitigation that may result from the addition of a proposed Route 24 interchange just south of Exit 9.

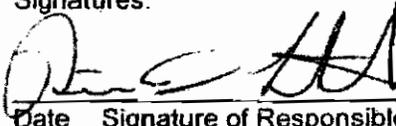
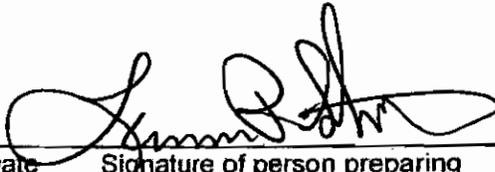
- (d) There are no major environmental impacts. All work is primarily outside of the wetland buffer zone, except for a portion of the road and road drainage which is located inside the 100 foot wetland buffer. A small wetland filling and replication has already been completed per approval of the Conservation Commission. This work has been completed as part of the previous approval. Stormwater Management has been implemented in the design of the road to mitigate pollutants from discharging into the wetlands and will be implemented in the design of the individual sites.

ATTACHMENTS & SIGNATURES

Attachments:

1. Secretary's most recent Certificate on this project
2. Plan showing most recent previously-reviewed proposed build condition
3. Plan showing currently proposed build condition
4. Original U.S.G.S. map or good quality color copy (8-1/2 x 11 inches or larger) indicating the project location and boundaries
5. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7)
6. Supplemental Information

Signatures:

	
_____ Date Signature of Responsible Officer or Proponent	_____ Date Signature of person preparing NPC (if different from above)

<u>Kevin J Letch</u> Name (print or type)	<u>Lawrence P. Silva</u> Name (print or type)
<u>KGI Properties, LLC</u> Firm/Agency	<u>Silva Engineering Associates, P.C.</u> Firm/Agency
<u>45 Broad Street, 4th floor</u> Street	<u>1615 Bedford Street</u> Street
<u>Boston, MA 02109</u> Municipality/State/Zip	<u>Bridgewater, MA 02324</u> Municipality/State/Zip
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